

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4
5 JAMES M. REESE,

6 Plaintiff,

7 vs.

8 CLARK COUNTY DETENTION CENTER, *et*
9 *al.*,

10 Defendants.

2:15-cv-01633-GMN-VCF

ORDER

11
12 Before the Court is Plaintiff's Motion for Stay or Extension of Time for Discovery (ECF No. 55).

13 Plaintiff seeks a stay of discovery or an extension of discovery deadlines because he was not aware
14 of the discovery rule and he needs additional time to serve the unserved defendants. *Id.*

15 Plaintiff Reese, appearing *pro se* in this action, is required to follow the rules and orders of the
16 Court and should familiarize himself with the Federal Rules of Civil Procedure as well as the Local Rules
17 of this court. *See Jacobsen v. Filler*, 790 F.2d 1362, 1364-65 (9th Cir. 1986) (holding that *pro se* parties
18 are not excused from following the rules and orders of the court).

19 Under Local Rule 16-1(b), "in actions by or on behalf of inmates under 42 U.S.C. § 1983...no
20 discovery plan is required," rather "a scheduling order [is] entered within thirty (30) days after the first
21 defendant answers or otherwise appears." Courts have broad discretionary power to control discovery.
22 *See, e.g., Little v. City of Seattle*, 863 F.2d 681, 685 (9th Cir.1988). As this is an action brought under 42
23 U.S.C. § 1983, and no scheduling order was entered by the parties, it was appropriate for the Court to
24 enter a discovery order that complies with LR 26-1.
25

1 Pursuant to LR 26-4, a motion for stipulation to extend a discovery deadline or to reopen discovery
2 must include:

- 3 (a) A statement specifying the discovery complete;
4 (b) A specific description of the discovery that remains to be completed;
5 (c) The reasons why the deadline was not satisfied or the remaining discovery was not
6 completed within the time limits set by the discovery plan; and
7 (d) A proposed schedule for completing all remaining discovery.
8

9 Here, Plaintiff has not given the Court any reason to stay discovery that is in compliance with LR
10 26-4. Plaintiff's reasons that he was not aware of the discovery rule and that he needs additional time to
11 serve the unserved defendants are insufficient to support a stay of discovery. Plaintiff's motion is not
12 supported by any points or authorities. LR 7-2(a).

13 Accordingly,

14 IT IS HEREBY ORDERED that Plaintiff's Motion for Stay or Extension of Time for Discovery
15 (ECF No. 55) is DENIED.

16 DATED this 19th day of June, 2017.

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18 CAM FERENBACH
19 UNITED STATES MAGISTRATE JUDGE
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